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Application Serial No. 09/476,253
Attorney Docket No. PC9731A
Election (37 CFR § 1.142)

1614 #8
04/24/01

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By

(Signature of person mailing)
Raymond M. Speer, Reg. No. 26,810

(Typed or printed name of person)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: **JOHN W. WATSON and
PAUL ANDREWS**

APPLICATION NO.: **09/476,253** : Examiner: **Cybill Delacroix-Muirheid**

FILING DATE: **December 30, 1999** : Group Art Unit: **1614**

TITLE: **PROKINETIC AGENTS FOR TREATING:
GASTRIC HYPOMOTILITY AND RELATED
DISORDERS**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

**APPLICANTS' RESPONSE TO REQUIRE-
MENT OF ELECTION (37 C.F.R. § 1.142)**

In an Office Action mailed March 27, 2001, the Examiner in charge of the above-identified application has made all of the pending claims, Claims 1-41, subject to a requirement of election among what are alleged by the Examiner to be patentably distinct species. The Examiner has required that Applicants elect a single disclosed species for prosecution on the merits, to which the claims shall be restricted if no generic claim is finally held to be allowable.


The Examiner has required election between two (2) patentably distinct species alleged to be present in the above-identified application. Said different species are as follows: a method for treating or preventing stasis in all or parts of the stomach of a patient comprising administering: Group (I.) a compound of Formula (IA); or Group (II.) a compound of Formula (IB).

Responsive to the Examiner's requirement, Applicants elect without traverse the species of Group (I.), a compound of Formula (IA). All of the pending claims, Claims 1-41, are directed to the elected species.

The Examiner is respectfully requested to proceed expeditiously with the examination of the elected species in the above-identified application, and should generic Claim 1 be found allowable, to further consider the species of Group (II.), a compound of Formula (IB), and any additional claims directed thereto.

Respectfully submitted,

Date: April 24, 2001


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